

# EXHIBIT 2

12-30-393551

STATE OF NEW MEXICO  
**OFFICE OF SUPERINTENDENT OF INSURANCE**

Mailing Address: P.O. Box 1689, Santa Fe, NM 87504-1689

Physical Address: 1120 Paseo de Peralta, Room 428, Santa Fe, NM 87501

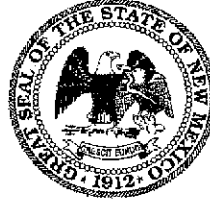
Main Phone: (505) 827-4601; Main Fax (505) 827-4734; Toll Free: 1-855-4-ASK-OSI

[www.osi.state.nm.us](http://www.osi.state.nm.us)

**SUPERINTENDENT OF  
INSURANCE**

John G. Franchini – (505) 827-4299

**DEPUTY SUPERINTENDENT**  
Robert Doucette – (505) 827-4439



**Service of Process**

Room 432

(505) 827-4241

**RECEIVED**

NOV 04 2016

1314 Douglas St  
Omaha NE

November 1, 2016

National Fire & Marine Ins. Co.  
J. Michael Gottschalk  
1314 Douglas St., Suite 1400  
Omaha, NE 68102-1944

Re: Welcome Properties 201, LLC Vs National Fire & Marine Insurance Co.,  
D307CV2016-02325

Dear Mr. President:

In accordance with the provisions of NMSA 1978, Sections 59A-5-31 & 59A-32, enclosed is a copy of a Summons, Amended Complaint for Breach of Contract and Fiduciary Duty, Insurance Bad Faith, Violations of the Insurance Code and Unfair Trade Practices Act, Jury Demand, Order Requiring Scheduling Reports and as Discovery Plan, Expert Witness Disclosure, and Limiting Stipulations to Enlarge Time for Responsive Pleadings, and Court-Annexed Arbitration Certification, to Defendant National Fire & Marine Insurance Co. c/o Berkshire Hathaway on the above styled cause, Service has been accepted on your behalf as of November 1, 2016.

Respectfully,

John G. Franchini, Superintendent

Enclosure

CERTIFIED MAIL 7012 3460 0003 1668 5468

SUMMONS	
District Court: THIRD JUDICIAL Doña Ana County, New Mexico Court Address: 201 W. Picacho Las Cruces, New Mexico 88005 Court Telephone No.: 575.523.8200	Case Number: D-307-CV-2016-02325  Assigned Judge: Manuel I. Arrieta
Plaintiff: WELCOME PROPERTIES 201, LLC  v.  Defendant: NATIONAL FIRE & MARINE INSURANCE CO.	Defendant  National Fire & Marine Insurance Co. c/o Berkshire Hathaway 1314 Douglas Omaha, NE 66102

**TO THE ABOVE NAMED DEFENDANT(S):** Take notice that

1. A lawsuit has been filed against you. A copy of the lawsuit is attached. The Court issued this Summons.
2. You must respond to this lawsuit in writing. You must file your written response with the Court no later than thirty (30) days from the date you are served with this Summons. (The date you are considered served with the Summons is determined by Rule 1-004 NMRA) The Court's address is listed above.
3. You must file (in person or by mail) your written response with the Court. When you file your response, you must give or mail a copy to the person who signed the lawsuit.
4. If you do not respond in writing, the Court may enter judgment against you as requested in the lawsuit.
5. You are entitled to a jury trial in most types of lawsuits. To ask for a jury trial, you must request one in writing and pay a jury fee.
6. If you need an interpreter, you must ask for one in writing.
7. You may wish to consult a lawyer. You may contact the State Bar of New Mexico for help finding a lawyer at [www.nmbar.org](http://www.nmbar.org); 1-800-876-6657; or 1-505-797-6066.

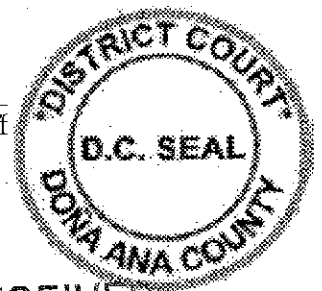
Dated at Las Cruces, New Mexico, this 21st day of October, 2016.

CLAUDE BOWMAN  
CLERK OF DISTRICT COURT

  
Deputy - Joe M Martinez

/s/ Steven R. Almanzar

Signature of Attorney for Plaintiff  
Name: Steven R. Almanzar  
Address: PO Box 7256  
Las Cruces, NM 88006-7256  
Telephone No.: 575.541.8000  
Email Address: steve@ay-law.com



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THIS SUMMONS IS ISSUED PURSUANT TO RULE 1-004 OF THE NEW MEXICO RULES OF CIVIL PROCEDURE FOR DISTRICT COURTS.

Office of Superintendent  
of Insurance

[ ] to \_\_\_\_\_, [parent] [guardian] [custodian] [conservator] [guardian ad litem] of  
defendant (used when defendant is a minor or an incompetent person).

[ ] to \_\_\_\_\_ (name of person), \_\_\_\_\_, (title of person authorized to receive service. Use this alternative when the defendant is a corporation or an association subject to a suit under a common name, a land grant board of trustees, the State of New Mexico or any political subdivision).

Fees: \_\_\_\_\_

\_\_\_\_\_  
Signature of person making service

\_\_\_\_\_  
Title (if any)

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_<sup>2</sup>

\_\_\_\_\_  
Judge, notary or other officer  
authorized to administer oaths

\_\_\_\_\_  
Official title

#### USE NOTE

1. Unless otherwise ordered by the court, this return is not to be filed with the court prior to service of the summons and complaint on the defendant.
2. If service is made by the sheriff or a deputy sheriff of a New Mexico county, the signature of the sheriff or deputy sheriff need not be notarized.

[Adopted effective August 1, 1988; as amended by Supreme Court Order 05-8300-01, effective March 1, 2005; by Supreme Court Order 07-8300-16, effective August 1, 2007; by Supreme Court Order No. 12-8300-026, effective for all cases filed or pending on or after January 7, 2013.]